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LEGISLATIVE HISTORY

Public Law 88-12
H. R. 5067

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INDEX AND SUMMARY OF H. R. 5067

Mar. 21, 1963	Rep. Whitten introduced H. R. 5067, which was referred to H. Agriculture Committee.
Apr. 2, 1963	House committee voted to report H. R. 5067.
Apr. 4, 1963	House committee reported H. R. 5067 with amendments. House Report 197. Print of bill and report.
Apr. 9, 1963	House passed H. R. 5067 as reported.
Apr. 10, 1963	H. R. 5067 was referred to Senate Agriculture and Forestry Committee. Print of bill as referred.
Apr. 11, 1963	H. R. 5067 was discharged from Senate Agriculture and Forestry Committee. S. passed H. R. 5067 without amendment.
Apr. 26, 1963	Approved: Public Law 88-12.

88TH CONGRESS
1ST SESSION

H. R. 5067

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1963

Mr. WHITTEN introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 344 (n) of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by striking out the figures "1962" where they first appear therein and inserting the figures "1963".

I

88TH CONGRESS
1ST SESSION

H. R. 5067

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended.

By Mr. WHITTEN

MARCH 21, 1963
Referred to the Committee on Agriculture

14. FOOD STOCKPILING. Received a letter from Agriculture transmitting a proposed bill, "to provide for the stockpiling, storage and distribution of essential foodstuffs, including wheat and feed grains to assure supplies to meet emergency civil defense needs, and other purposes;" to Armed Services Committee. p. 5230

15. COTTON. Reps. Whitener and Kornegay criticized the two-price cotton system under which the Government subsidizes the export of raw cotton to make it competitive with world prices.

Received from the Texas Legislature a memorial requesting prompt review of the present Federal two-price program on cotton. p. 5232

16. WOOL. Rep. Cleveland urged the immediate impositions of restrictions on the importation of woolen goods. p. 5227

17. COTTON. The Agriculture Committee voted to report (but did not actually report) with amendment H. R. 5067, to amend the Agricultural Adjustment Act of 1938 so as to extend the authority for the transfer of cotton allotments that cannot be timely planted or replanted because of a natural disaster. p. D192

18. YOUTH CONSERVATION CORPS. Several Representatives spoke in commemoration of the 30th anniversary of the establishment of the Civilian Conservation Corps, urged enactment of the proposed Youth Conservation Corps bill, and inserted several items on the subject. pp. 5160-9, 5202-11

19. BUDGET. Reps. Albert, Halleck, and others debated Republican claims that the budget could be cut by $15 billion, and Rep. Albert asked for a "bill of particulars' on how the budget could be reduced by this amount. pp. 5169-5202, 5221-3

20. CONTRACTS; TRANSPORTATION. Passed without amendment S. 1035, to extend to April 3, 1964, the period during which the Maritime Commission may approve or disapprove existing dual rate contracts in use in U. S. waterborne foreign commerce. H. R. 4555, an identical bill, was tabled. This bill will now be sent to the President. pp. 5151-2

21. FISHERIES. Rep. Hall criticized Interior's desire to hire "a Chinese expert... to advise...Arkansas rice farmers about how to grow fish in rice paddies." pp. 5223-5

22. TAXATION. Rep. Curtis criticized the President for "hiding the real economic problems facing our people" and contended a tax reduction will not "make or break this country's property in the ensuing months."

23. IRRIGATION. Received from Interior a draft of a contract proposing drainage work exceeding a total cost of $200,000 on the Crooked River project, Oregon.

24. FLOOD CONTROL. Received a memorial from the Calif. Legislature requesting enactment of legislation authorizing flood control appropriations for the Yuba County Water Agency. p. 5232

25. MINIMUM WAGE. The General Subcommittee on Labor of the Education and Labor Committee voted to report (but did not actually report) with amendments H. R. 404, to amend the Davis-Bacon Act, to include fringe benefits in computing wages. p. D192

ITEMS IN APPENDIX

26. FUTURE FARMERS. Extension of remarks of Sen. Burdick inserting a Future Farmer's address expressing the need for a mutual understanding by farmers and city people. p. A1898

27. FOREIGN AID. Various insertions and remarks favoring and opposing the proposed foreign aid program. pp. A1905, A1934-5, A1935-6, A1945-6

28. TAXATION. Various insertions and remarks favoring and opposing the President's proposed tax program. pp. A1905, A1908-9, A1923

29. WATER RESOURCES. Extension of remarks of Sen. Hartke inserting an article pointing out "the ever-increasing value of water." pp. A1914-5

30. ELECTRICIFICATION; LANDS. Extension of remarks of Rep. Saylor criticizing the proposed USDA-Interior regulations governing electric transmission lines over Federal lands as being "ambiguous, capricious, and confiscatory and without authority in law." pp. A1920-1

31. FARM PROGRAM. Extension of remarks of Sen. Humphrey inserting his speech stating that "the truly great story of our time is a factual report on what farm families have done and are doing for our country." pp. A1926-8

Extension of remarks of Rep. Cannon inserting an address by the president of the Independent Bankers Association urging that we fight for "a national program for agriculture that will work for the whole Nation," and for fiscal responsibility in our Federal Government. pp. A1947-50

32. COTTON. Extension of remarks of Rep. Whitener inserting an article, "Cotton Mills Seek Equality in Subsidy," p. A1933

33. FOREST; MINING. Extension of remarks of Rep. Dent inserting his letter to the President and articles protesting the proposed strip-mining of coal in the Allegheny and other national forests. pp. A1936-7

BILLS INTRODUCED

34. PESTICIDES. S. 1250 by Sen. Neuberger, to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls; to Committee on Commerce. Remarks of author, pp. 5054-5

S. 1251, by Sen. Neuberger, to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides; to Committee on Commerce. Remarks of author, pp. 5054-5

35. PERSONNEL. H. R. 5375, by Rep. Henderson, to allow credit under the Civil Service Retirement Act to certain Federal employees for service in Federal-State cooperative programs in a State; to Post Office and Civil Service Committee.

H. R. 5376, by Rep. Henderson, to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States; to Post Office and Civil Service Committee.

36. AREA REDEVELOPMENT. H. R. 5383, by Rep. Minish, to amend the Area Redevelopment Act to clarify the areas which may be designated as redevelopment areas;

Istokpoga Marsh and Jumper Creek, Fla.; Held, Iowa; Callahan Creek, Mo.; Apache-Brazito-Mesquite, N. Mex.; Conetoe Creek, N. C.; Harmon Creek, Pa. and W. Va.; and Upper Little Minnesota River, S. Dak.; to Agriculture Committees. pp. 5367, 5503

Upper Rock Creek, Md.; and Buck Creek, Ky.; to Public Works Committees. pp. 5368, 5503

15. HOUSING. Both Houses received from the Housing and Home Finance Agency a proposed bill "to provide additional housing for the elderly"; to Banking and Currency Committees. pp. 5367, 5503

16. NOMINATION. Confirmed the nomination of W. Averell Harriman to be Under Secretary of State for Political Affairs. p. 5442

17. BUILDINGS. The "Daily Digest" states that the Public Works Committee approved authorizations of $20,768,600 for 87 new small building projects to be financed by funds from the accelerated public works program, and approved authorizations for other new buildings and alterations of existing buildings. p. D203

18. LEGISLATIVE PROGRAM. Sen. Mansfield announced that debate on the wilderness preservation bill will begin next Mon., to be followed by consideration of the youth employment bill. pp. 5362-3

19. ADJOURNED until Mon., Apr. 8. p. 5441

HOUSE

20. APPROPRIATIONS. By a vote of 385 to 17, passed without amendment H. R. 5366, the Treasury and Post Office Departments, Executive Office of the President, and certain independent agencies appropriation bill for 1964. pp. 5444-75

The Appropriations Committee was granted permission to report the supplemental appropriation bill for 1963 during recess. p. 5475.

Reps. Sisk and Rosenthal objected to proposed budget cuts. pp. 5477-8

21. BUILDINGS. The Foreign Affairs Committee reported without amendment H. R. 5207, authorizing additional appropriations for foreign buildings including Agricultural Attache housing (H. Rept. 194). p. 5504

22. LUMBER. Rep. Sikes recommended against the Treasury Department's proposed change in the provision for timber taxation. pp. 5483-4

23. EXPENDITURES. Rep. Curtis urged establishment of a Congressional Joint Committee on the Budget and a Presidential Advisory Commission on Federal Expenditures. pp. 5498-9

24. WHEAT. Rep. Holifield urged approval of the new wheat program in the referendum. pp. 5502

25. OUTDOOR RECREATION. The Rules Committee reported a resolution for consideration of H. R. 1762, to promote the coordination and development of effective Federal and State programs relating to outdoor recreation. p. 5504

26. COTTON. The Agriculture Committee reported with amendments H. R. 5067, to extend the authority to transfer cotton allotments in disaster areas (H. Rept. 197). p. 5504

27. TRANSPORTATION. Rep. Ullman inserted an Ore. Legislature memorial requesting sufficient funds to widen the shipping locks at Bonneville Dam on the Columbia River. pp. 5502-3

28. PERSONNEL; TRAVEL. Both Houses received from the Civil Service Commission a proposed bill "to provide for the payment of travel cost for applicants invited by a department to visit it for purposes connected with employment"; to Government Operations Committees. pp. 5368, 5503

A Subcommittee of the Post Office and Civil Service Committee was appointed to consider H. R. 4837 and H. R. 4838, to provide for the payment of certain amounts and restoration of employment benefits to certain Government officers and employees improperly deprived thereof. p. D205

29. MINING. The Rules Committee formally reported resolutions for consideration of H. R. 3845, to amend the Lead-Zinc Small Producers Stabilization Act to allow only small producers to receive benefits under this Act, and H. R. 3120, to simplify the administration of this Act. p. 5504

30. PERSONNEL; SALARIES. The Post Office and Civil Service Committee reported with amendment H. R. 1159, to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain cases (H. Rept. 189). p. 5504

31. PERSONNEL; HEALTH. The Post Office and Civil Service Committee reported without amendment the following bills: p. 5504

H. R. 1819 to provide additional choice of health benefits plans by Federal employees (H. Rept. 190);

H. R. 3517, to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act (H. Rept. 191).

32. CENSUS. The Post Office and Civil Service Committee reported without amendment H. R. 3545, to provide for taking the economic censuses 1 year earlier starting in 1968 (H. Rept. 192). p. 5504

33. PERSONNEL; RETIREMENT. The Post Office and Civil Service Committee reported without amendment H. R. 3612, to define the term "child" for lump-sum payment purposes under the Civil Service Retirement Act (H. Rept. 193). p. 5504

34. LEGISLATIVE PROGRAM. Rep. Albert announced that next Tues., the 1963 supplemental appropriation bill will be called up; and on Wed and Thurs. H. R. 1762, outdoor recreation coordination program will be considered. pp. 5475-6

Also he announced that "at the close of business on Thurs. Apr. 11, it is planned to recess until the morning of Mon. Apr. 22" as an Easter recess. p. 5476

35. ADJOURNED until Mon., Apr. 8. p. 5503

BILL APPROVED BY THE PRESIDENT

36. TRANSPORTATION. S. 1035, to extend for 1 year (to April 3, 1964) the period during which the Federal Maritime Commission is required by the provisions of Public Law 87-346 to approve, disapprove, cancel, or modify, existing dual rate contracts in the use in the waterborne foreign commerce of the United States. Approved April 3, 1963 (Public Law 88-5).

88TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { No. 197

TRANSFER OF FLOODED ACREAGE

APRIL 4, 1963.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture submitted the following

REPORT

[To accompany H.R. 5067]

The Committee on Agriculture, to whom was referred the bill (H.R. 5067) to amend the Agricultural Adjustment Act of 1938, as amended, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, line 4 insert after "(1)" the following:

By striking out the word "substantial" where it appears, (2)

Page 1, line 6, strike out the period and insert

, and (3) by striking the period at the end of the second sentence thereof and substituting a colon therefor and the following proviso: "*Provided*, That, notwithstanding the provisions of section 344(m)(2) of this Act, the transfer of any farm allotment under this subsection for 1963 shall operate to make the farm from which the allotment was transferred eligible for an allotment as having cotton planted thereon during the three year base period."

PURPOSE OF THE BILL

In several areas of the Midsouth, floodwaters are now overrunning cotton land and preventing the planting of cotton. Even when the floodwaters recede, the land in many instances will be unfit for planting for several weeks. Under present provisions of permanent law, even though the farmowner or operator owns another farm in the same county, he cannot transfer any part of his flooded-out cotton allotment to the other farm.

In 1958, when a similar flood situation occurred at about this same time of year, an emergency law applying only to the 1958 cotton crop was enacted permitting operators of farms with flooded-out cotton acreage to transfer all or part of that acreage allotment, with the permission of the county committee, to another farm in the same or an adjoining county operated by the same farmer. In 1961 when a similar flood situation occurred, the 1958 emergency law was changed to make it apply to the one year 1961. In 1962, when a similar condition arose, the bill was again amended to make it apply to the year 1962.

This year flood conditions have already occurred in Kentucky and Tennessee and are expected to occur in Missouri, Mississippi, and other Southern States. This bill would change the date on the act to permit farmers in areas flooded in 1963 to take the same kind of action which has proved helpful in similar circumstances in the 3 previous years.

The third change in the law was necessitated by the fact that this will be the third year in which cotton allotments have been transferred from one farm to another under the provisions of this act. Under normal circumstances, if a farmer fails to plant his cotton allotment at least 1 year in every 3 years on the farm to which the allotment is made, he loses his cotton history on that farm. The necessity of moving cotton allotments caused by the flooding conditions should not work to deprive a cotton farmer of his cotton history and thus, of his allotment.

DEPARTMENTAL POSITION

There was not sufficient time to obtain a formal report from the Department of Agriculture on this bill, but officials of the Department appeared before the committee this year as they did in 1958 and 1961 and stated that they had no objection to its enactment.

COST

It is not anticipated that there will be any additional cost to the Government as the result of this legislation.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

SEC. 344 * * *

(n) Notwithstanding any other provision of this Act, if the Secretary determines that because of a natural disaster a [substantial] portion of the [1962] *1963* farm cotton acreage allotments in a county cannot be timely planted or replanted, he may authorize the transfer of all or a part of the cotton acreage allotment for any farm in the county so affected to another farm in the county or in an adjoining county on which one or more of the producers on the farm from which the

transfer is to be made will be engaged in the production of cotton and will share in the proceeds thereof, in accordance with such regulations as the Secretary may prescribe. Any farm allotment transferred under this paragraph shall be deemed to be released acreage for purposes of acreage history credits under sections 344(f)(8), 344(m)(2), and 377 of this Act: *Provided, That, notwithstanding the provisions of section 344(m)(2) of this Act, the transfer of any farm allotment under this subsection for 1963 shall operate to make the farm from which the allotment was transferred eligible for an allotment as having cotton planted thereon during the three-year base period.*

○

Union Calendar No. 77

88TH CONGRESS
1ST SESSION

H. R. 5067

[Report No. 197]

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1963

Mr. WHITTEN introduced the following bill; which was referred to the Committee on Agriculture

APRIL 4, 1963

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Insert the part printed in italic]

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To amend the Agricultural Adjustment Act of 1938, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 344 (n) of the Agricultural Adjustment Act of 1938, as amended, is amended (1) *by striking out the word "substantial" where it appears, (2)* by striking out the figures "1962" where they first appear therein and inserting the figures "1963", *and (3) by striking the period at the end of the second sentence thereof and substituting a colon therefore and the following proviso: "Provided, That, notwithstanding the provisions of section 344(m)(2) of this*

Act, the transfer of any farm allotment under this subsection for 1963 shall operate to make the farm from which the allotment was transferred eligible for an allotment as having cotton planted thereon during the three-year base period."

Union Calendar No. 77

88TH CONGRESS
1ST SESSION

H. R. 5067

[Report No. 197]

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended.

By Mr. WHITTEN

MARCH 21, 1963
Referred to the Committee on Agriculture

APRIL 4, 1963
Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For information only; should not be quoted or cited)

Issued April 10, 1963
For actions of April 9, 1963
88th-1st; No. 52

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HIGHLIGHTS: Senate passed wilderness preservation bill. House debated supplemental appropriation bill. Rep. Edmondson urged restoration of funds for accelerated public works program. House passed bill for transfer of cotton allotments in disaster areas. House subcommittee voted to report Mexican farm labor bill. Senate debated youth employment opportunities bill.

HOUSE

1. APPROPRIATIONS. Began debate on H. R. 5517, the supplemental appropriation bill (pp. 5698-5728). Rep. Ryan (N.Y.) urged restoration of the public works funds and inserted an article giving an "analysis of the implications of our fiscal and economic policies" (pp. 5741-3). Rep. Edmondson urged restoration of public works funds, saying this is the one program "guaranteed to improve employment in the depressed areas" (p. 5697).

2. BUILDINGS. Received from the Public Works Committee announcement of approval of various projects which had been submitted by the General Services Administration. pp. 5729-30

3. COTTON. Passed as reported H. R. 5067, to extend through the 1963 crop the authority to transfer cotton allotments in disaster areas. p. 5698

4. FARM PROGRAM. Rep. Findley blamed the "Kennedy farm policies" for the increasing cost-price squeeze on Illinois farmers. p. 5760

5. TRANSPORTATION. The Banking and Currency Committee reported with amendment H. R. 3881, the proposed Urban Mass Transportation Act of 1963 (H. Rept. 204). p. 5768

6. FARM LABOR. The Equipment, Supplies, and Manpower Subcommittee of the Agriculture Committee voted to report H. R. 5497, to extend the Mexican farm labor program. p. D217

7. FOREIGN AID. Rep. Hall criticized the U. N. Special Fund and listed many of their agricultural projects. pp. 5731-41

8. GOVERNMENT OPERATIONS. Received a letter from the Comptroller General transmitting the annual compilation of General Accounting Office findings and recommendations for improving Government operations (H. Doc. 96) p. 5768

SENATE

9. WILDERNESS PRESERVATION; FORESTRY. By a vote of 73 to 12, passed with amendments S. 4, to provide for the establishment of a wilderness preservation system. pp. 5577-5600

Agreed to the following amendments:

By Sen. Miller to modify certain language so as to make "more definite" the intent of Congress with regard to the use of aircraft or motorboats in wilderness areas. p. 5587

By Sen. Church, as a substitute for an amendment by Sen. Dominick, to provide that a motion to discharge a committee from considering recommendations of the President on the establishment of wilderness areas shall not be in order until the time for the committee to hold a hearing has elapsed. p. 5594

By Sen. Dominick, to strike out authority to impose "restrictions" on grazing of livestock on wilderness lands on which grazing was permitted prior to enactment of this bill. p. 5586

Rejected the following amendments:

By Sen. Dominick, 26 to 56, to permit the continuance of mining on lands in the wilderness system until Dec. 31, 1977. pp. 5577-83

By Sen. Dominick, 21 to 61, to provide that primitive areas shall not be included in the wilderness system for a period of 10 years. pp. 5583-6

By Sen. Dominick, to permit the Secretaries of Agriculture and Interior, rather than the President, authorize prospecting, mining, establishment of reservoirs, water-conservation works, transmission lines, etc., in wilderness areas. pp. 5586-7

By Sen. Dominick, 35 to 49, to require affirmative action of Congress before lands may be included in wilderness areas. pp. 5587-94

10. YOUTH EMPLOYMENT. Began debate on S. 1, to authorize the establishment of youth employment programs, including a Youth Conservation Corps (pp. 5661-4, 5673-84, 5688-9). By a vote of 29 to 58, rejected a motion by Sen. Prouty to refer the bill to the Interior and Insular Affairs Committee for consideration (pp. 5579-82). By a vote of 65 to 21, agreed to an amendment by Sen. Proxmire

House of Representatives

TUESDAY, APRIL 9, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D, offered the following prayer:

Hebrews 11: 6: *Without faith it is impossible to please God.*

Most merciful and gracious God, during these troublous days when we are encountering and must withstand many mighty and mysterious forces of evil, inspire us to maintain and safeguard the continuity of faith in Thee and in a nobler civilization built upon the foundation of truth and righteousness.

Grant that in this glorious spring season there may blossom forth among all the nations of the earth the fragrant spirit of brotherhood, the spirit of mutual obligations and cooperation, supplanting the spirit of selfishness which manifests itself in a sordid scramble for prestige and power.

Show us how we may have a share in raising the spirit of mankind to a higher quality and seek to clothe it with a dawning splendor which brightens more and more unto the perfect day.

Hear us in the name of our blessed Lord who called himself the Bright and Morning Star. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

ACCELERATED PUBLIC WORKS PROGRAM

(Mr. EDMONDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, this morning's edition of the Washington Post predicts that there will be a donnybrook on this floor today on the proposed elimination of funds for the accelerated public works program and quotes one of our distinguished colleagues, the gentleman from Wisconsin [Mr. LAIRD], as saying that if Congress is serious about cutting spending, this is the one place to start, and further quoting, that it is not necessary for the minority to win this fight, but it must make its position clear.

Apparently the position of the opposition is to be in favor of percentage cuts on some items but against every red cent for the accelerated public works program. It is interesting to see that they have brought out a bill which provides a cut of approximately 2 percent in the money for forest land management, of approximately 25 percent in educational television, of less than 18 percent for General Services Administration supplies, but of 100 percent for a program to give jobs to American people, for a program which is in effect in 45 of the 50 States, and for a program which is making possible useful sanitation improvements, water supply, hospital construction, and other desirable and long needed improvements in depressed areas. I say if this is the one place to start in the mind of the opposition party, then let us draw the line good and clear for the American people, because the program of accelerated public works is the one program in this bill that is guaranteed to improve employment in the depressed areas of this country. I earnestly hope we can have a thorough debate of both party positions in the course of today's consideration.

CORRECTION OF THE RECORD

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that in the permanent RECORD the matter appearing on page 5202, second column, third paragraph from the bottom, beginning with the name "Mr. BRADEMAS," and continuing through to the end of page 5211, be inserted on page 5169 immediately before the title "The Appropriations Budget for 1964."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

SUBCOMMITTEE ON NATIONAL PARKS OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. MORRIS. Mr. Speaker, I ask unanimous consent that the Subcommittee on National Parks of the Committee on Interior and Insular Affairs be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

PAN AMERICAN DAY, 1963

(Mr. CONTE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, on Thursday, April 11 we again commemorate Pan American Day throughout the Western Hemisphere. This year marks the 73d anniversary of the system of inter-American cooperation which is embodied today in the Organization of American States. From very humble beginnings in this city of Washington in 1890, the inter-American system has made tremendous strides in the accomplishment of the dreams of its original champion, Simon Bolivar.

We have seen the growth of the pan-American idea to encompass hemispheric security, economic growth and betterment, and social and cultural progress. We have seen the development of the multinational acceptance of the Monroe Doctrine, the Good Neighbor Policy, and the Alliance for Progress. Each of these was a historic step in the development of true pan-Americanism.

But 1963 does not mark a resting place in the continued development of inter-American cooperation. We can be thankful for the support shown by our neighbors during the October missile crisis without being disillusioned that our troubles are over in Latin America. We must face the future, all Americans, north and south of the Rio Grande, with a renewed determination to preserve and protect liberty and justice in this hemisphere. And our sincerity will be measured not by our words, but by our deeds. Thus it is that we commemmorate this 73d Pan American Day with dedication of our efforts to a free and progressive hemisphere.

NUCLEAR TEST BAN PROPOSALS

(Mr. HOSMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOSMER. Mr. Speaker, I think it should be brought to the attention of the Members of the Congress that there has been a spate of letters to the editor, and so forth, in the New York Times and in the Washington Post this morning and probably in other newspapers from so-called scientists and people like James J. Wadsworth, all containing exactly the same sort of argument put forth by the disarmament agency in connection with the upcoming treaty proposals to be made by the administration at Geneva later this month to the Soviet Union. These proposals have been disclosed in part to the Joint Committee on Atomic Energy. A public record has been made showing the proposals contain a big hole through which the Soviets could drive their way to nuclear superiority. The gentlemen who wrote these letters were not in attendance at the hearings; and do not have the information upon which to give the assurances they are relating apparently on information furnished by the disarmament agency. It seems to me to be an obvious and organized effort to brainwash the American people to accept treaty safeguards which are illusory and do not actually provide for the national security and survival of the United States of America. I hope the people of the United States will read these communications with the knowledge that the men who have affixed their names to

them do not have the information to sustain the contentions they make in public over their names and reputations, in many cases in various fields not connected with nuclear weaponry, in which cases they are not authorities on the subject on which they seek to assure the American public with authority.

TRANSFER OF FLOODED ACREAGE

Mr. STUBBLEFIELD. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5067) to amend the Agricultural Adjustment Act of 1938, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. BELCHER. Reserving the right to object, Mr. Speaker, will the gentleman explain this bill?

Mr. STUBBLEFIELD. Mr. Speaker, this bill was introduced by the gentleman from Mississippi [Mr. WHITTEN]. It provides for the transfer of flooded-out cotton acreage allotments from the bottomlands of the Mississippi to high ground for a period of 1 year. This is the same bill that was passed in 1958, 1961, and 1962, on the Consent Calendar. It is estimated by USDA that 11,400 acres are flooded affecting about 656 farms in Arkansas, Kentucky, Mississippi, Missouri, Illinois, Tennessee, and Louisiana.

The bill applies to the 1963 cotton crop only, and provides that the acreage allotments will not be affected.

Mr. BELCHER. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 344(n) of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by striking out the figures "1962" where they first appear therein and inserting the figures "1963."

With the following committee amendments:

Page 1, line 4 insert after "(1)" the following:

By striking out the word "substantial" where it appears, (2) page 1, line 6, strike out the period and insert

, and (3) by striking the period at the end of the second sentence thereof and substituting a colon therefor and the following proviso: *"Provided,* That, notwithstanding the provisions of section 344(m)(2) of this Act, the transfer of any farm allotment under this subsection for 1963 shall operate to make the farm from which the allotment was transferred eligible for an allotment as having cotton planted thereon during the three year base period."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. HALLECK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Indiana makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ALBERT. I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 17]

Andrews	Gibbons	Patten
Barrett	Gilbert	Powell
Brademas	Glenn	St. George
Bray	Green, Oreg.	St Germain
Burton	Green, Pa.	Shelley
Celler	Halpern	Smith, Iowa
Cooley	Healey	Thompson, La.
Corbett	Joncs, Mo.	Toll
Daddario	Kilburn	Van Pelt
Farbstein	Mailliard	Wallhauser
Fino	Martin, Nebr.	Walter
Foreman	Multer	Whitener
Fuqua	Osmers	Willis

The SPEAKER. On this rollcall 389 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUPPLEMENTAL APPROPRIATION BILL, 1963

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 311 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That during the consideration of the bill (H.R. 5517) making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes, all points of order against the provisions contained in lines 5 through 10, page 22, are hereby waived.

Mr. DELANEY. Mr. Speaker, I yield one-half of my time to the gentleman from Ohio [Mr. BROWN], and yield myself such time as I may consume.

Mr. Speaker, this resolution provides for waiving all points of order on one item in the supplemental appropriation bill. The item is contained on page 22 in lines 5 to 10. It deals with the authorization of the purchase of furniture and fixtures for the Rayburn Office Building, the appropriation for which is to be handled in the legislative branch appropriation bill. This is the only item on which we ask a waiver, this single item, so they can go ahead and order the furniture for the new Rayburn Building.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DELANEY. I yield to the gentleman.

Mr. GROSS. Why should points of order be waived on this purchase? Does the gentleman not think that it ought to be authorized?

Mr. DELANEY. This is the authorization that we are asking for now in the interest of saving time. This building is completed and apparently there was no authorization for the furniture. Therefore, we are asking for the authorization in this bill.

Mr. GROSS. When is the building to be completed?

Mr. DELANEY. I believe the gentleman from Texas [Mr. THOMAS] can answer that question much better than I can.

Mr. THOMAS. Mr. Speaker, may I say to my good friend, the gentleman from Iowa, the best information we have now is that the building will be completed in toto in August of next year. Some parts of the building will be ready for occupancy beginning in April of next year. The language contained in this bill waiving the point of order is merely an authorization to get the furniture. There is not 5 cents provided for here to buy the furniture. That will be handled by another subcommittee within the next 60 or 90 days. The purpose of this is to give to our distinguished committee of the House, the gentleman from Georgia [Mr. VINSON], our beloved Speaker, and our beloved gentleman from New Jersey [Mr. AUCHINCLOSS] anywhere from 60 days to 6 months leadtime to procure the furniture. That is the sum and substance of the matter.

Mr. GROSS. If I understand this thing correctly, there is not going to be any occupancy of this building for nearly a year and a half. It seems to me, therefore, that we could do this in the normal and regular legislative way and that is to authorize this rather than to come in with an appropriation bill where obviously, you have to waive points of order because this is unauthorized.

Mr. THOMAS. That is what we are seeking to do, to authorize this. There is not 1 penny of money provided for here to buy any furniture.

Mr. GROSS. That does not make any difference. You are shortcircuiting the regular legislative process; are you not?

Mr. THOMAS. This is not the regular legislative committee that is handling this, but we are doing this at the request of our committee composed of the Speaker of the House, the gentleman from Georgia [Mr. VINSON], and the gentleman from New Jersey [Mr. AUCHINCLOSS]. The purpose in following this procedure is to save time and to afford some leadtime for procurement, otherwise you will not have any furniture to go into the building when it is ready. That is the point.

Mr. GROSS. If the gentleman will yield further, do you mean to tell me the legislative committee cannot come in with legislation in the regular way for this purpose and then buy the furniture for this building that is to be occupied next August? I cannot understand that.

Mr. THOMAS. The purpose of this is to save about 3 to 6 months' leadtime. That is all that is involved here. The furniture cannot be bought in a day.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. DELANEY. I yield to the gentleman.

Mr. ROONEY. I should like to point out with regard to legislative authorizations for the Rayburn Office Building that the entire transaction and every part of it has been handled in this same way in appropriation bills right from the time of the initial planning for the building.

Mr. STEED. Mr. Speaker, will the gentleman yield?

Mr. DELANEY. I yield to the gentleman.

88TH CONGRESS
1ST SESSION

H. R. 5067

IN THE SENATE OF THE UNITED STATES

APRIL 10, 1963

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 344 (n) of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by striking out the word "substantial" where it appears, (2) by striking out the figures "1962" where they first appear therein and inserting the figures "1963", and (3) by striking the period at the end of the second sentence thereof and substituting a colon therefore and the following proviso: "*Provided,* That, notwithstanding the provisions of section 344 (m) (2) of this

Act, the transfer of any farm allotment under this subsection for 1963 shall operate to make the farm from which the allotment was transferred eligible for an allotment as having cotton planted thereon during the three-year base period."

Passed the House of Representatives April 9, 1963.

Attest: RALPH R. ROBERTS,

Clerk.

88TH CONGRESS
1ST SESSION

H. R. 5067

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended.

APRIL 10, 1963
Read twice and referred to the Committee on Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For information only; should not be quoted or cited)

Issued April 12, 1963
For actions of April 11, 1963
88th-1st, No. 54

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HIGHLIGHTS: House Rules Committee cleared feed grain bill. Senate passed bill for transfer of cotton allotments in disaster areas. Sen. Morse urged stronger actions to gain entry of U. S. agricultural products in Common Market. Both Houses received President's proposal to establish National Service Corps. Rep. Dowdy opposed wheat referendum and discussed its effect on the other producers.

HOUSE

1. FEED GRAINS. The Rules Committee reported a resolution for consideration of H. R. 4997, to extend the feed grain program. p. 6047

2. WHEAT; LIVESTOCK. Rep. Dowdy recommended against passage of the wheat referendum and its effects upon other commodities. pp. 6035-6

3. APPROPRIATIONS. Rep. Cannon explained the status of the current appropriation bills and compared the supplemental appropriation bill not passed in the last session of Congress with the one recently passed. pp. 6036-9

4. FOREIGN AFFAIRS. Rep. Oliver Bolton criticized USDA's press release stating that "the failures of Soviet agriculture were due to bad weather alone" in 1962. pp. 6040-1

5. NATIONAL PARKS. Rep. Ichord urged establishment of the Ozark National Rivers area as a national park. pp. 6014-5

6. GOVERNMENT CONTROLS. Rep. Kyl criticized increased Government controls over the farmers, especially noting the wheat referendum. p. 6016

7. EXPENDITURES. Rep. Foreman criticized the level of Government spending. pp. 6016-7

8. TAXATION. Rep. Jennings inserted a speech by Treasury Under Secretary Fowler explaining the advantages of the President's tax reduction program. pp. 6045-6

9. LEGISLATIVE PROGRAM. Rep. Albert announced that on Mon., Apr. 22, the Consent and Private Calendars will be called; on Wed., Apr. 24, the House will take up H. R. 4997, to extend the feed grains program, and on Thurs. and the balance of the week, H. R. 1762, outdoor recreation. Rep. Albert also stated that the Appropriations Committee desires to bring up the Labor-HEW bill on Apr. 29. pp. 6030-1

10. ADJOURNED until Mon., Apr. 22. p. 6046

SENATE

11. COTTON. Passed without amendment H. R. 5067, to extend to the 1963 cotton crop the authority to permit farmers with flooded-out cotton acreage to transfer their cotton allotments to another farm in the same or an adjoining county operated by the same farmer. This bill will now be sent to the President. p. 6081

12. FOREIGN TRADE. Sen. Morse criticized European Common Market restrictions on the importation of U. S. agricultural products and urged the administration to take stronger actions in negotiating for the entry of our agricultural products into Common Market countries. pp. 6136-8

13. DAIRY INDUSTRY. Sen. Sparkman referred to "complaints received from independent dairy processors about unfair, discriminatory, and predatory competitive practices in connection with the sale of milk and milk products," and inserted a statement by a Federal Trade Commission official reviewing actions taken by the Commission to prevent mergers in the dairy industry. pp. 6112-3

14. WATER RESOURCES. S. 2, to provide for the establishment of water resources research centers at land-grant colleges and State universities, was made the unfinished business of the Senate, with debate to begin Mon., Apr. 22. p. 6114

Sen. Anderson inserted an address by the former director of the Calif. Department of Water Resources presenting "a perceptive and thoughtful discussion of Federal-State water rights issues and of the potentialities of S. 1111 in helping to resolve such conflicts and facilitate river basin planning." pp. 6104-8

15. NATIONAL SERVICE CORPS. Both Houses received from the President a proposed bill "to provide for a National Service Corps to strengthen community service programs in the United States"; to H. Education and Labor and S. Labor and Public Welfare Committees. pp. 6047, 6082

South Dakota for the statue of Joseph Ward, to be placed in Statuary Hall, was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of Joseph Ward, presented by the State of South Dakota, to be placed in the Statuary Hall collection, is accepted in the name of the United States, and that the thanks of the Congress be tendered said State for the contribution of the statue of one of its most eminent citizens, illustrious for his leadership as author of the State's motto, framer of the Territorial school law, founder of the first college, and outstanding churchman in the founding of Christian churches among whites and Indians: And be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of South Dakota.

PRINTING OF PROCEEDINGS OF CEREMONIES IN CONNECTION WITH ACCEPTANCE OF STATUE OF JOSEPH WARD TO BE PLACED IN STATUARY HALL

The concurrent resolution (S. Con. Res. 11) to print as a Senate document the proceedings at the acceptance of the statue of Joseph Ward, to be placed in Statuary Hall, was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the proceedings at the presentation, dedication, and acceptance of the statue of Joseph Ward, to be presented by the State of South Dakota in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. There shall be printed three thousand additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which one hundred copies shall be for the use of the Senate and one thousand two hundred copies shall be for the use of the Members of the Senate from the State of South Dakota, and five hundred copies shall be for the use of the House of Representatives and one thousand two hundred copies shall be for the use of the Members of the House of Representatives from the State of South Dakota.

PRINTING AS SENATE DOCUMENT "A REPORT ON THE ALLIANCE FOR PROGRESS, 1963," BY SENATOR HUMPHREY

The resolution (S. Res. 113) to print, as a Senate document, with additional copies, a report on the Alliance for Progress, 1963, by Senator HUBERT H. HUMPHREY, was considered and agreed to, as follows:

Resolved, That there shall be printed as a Senate document a report entitled "A Report on the Alliance for Progress, 1963", submitted by Senator HUBERT H. HUMPHREY to the Senate Committee on Appropriations and the Committee on Foreign Relations and that seven thousand additional copies be printed for the use of those committees.

PRINTING OF "MISSION TO SOUTHEAST ASIA"

The resolution (S. Res. 117) relating to printing of "Mission to Southeast Asia" was considered and agreed to, as follows:

Resolved, That there be printed, as a Senate document, a report entitled "Study Mission to Southeast Asia", submitted by Senator GALE W. MCGEE to the Senate Committee on Appropriations and that twenty thousand additional copies be printed for the use of that committee.

MATTIE V. GRUBBS

The resolution (S. Res. 122) to pay a gratuity to Mattie V. Grubbs was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mattie V. Grubbs, sister of James O. Martin, an employee of the Senate at the time of his death, a sum equal to eleven months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

EDDIE H. NORWOOD

The resolution (S. Res. 123) to pay a gratuity to Eddie H. Norwood was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Eddie H. Norwood, widow of Thomas E. Norwood, an employee of the Senate at the time of his death, a sum equal to seven months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

FANNIE HILL, LEONARD M. HILL, AND LAWRENCE A. HILL

The resolution (S. Res. 124) to pay a gratuity to Fannie Hill, Leonard M. Hill, and Lawrence A. Hill was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Fannie Hill, sister, and to Leonard M. Hill and Lawrence A. Hill, brothers of Elijah B. Hill, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of his death, a sum to each equal to two months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CAROLYN P. MERIWETHER

The resolution (S. Res. 125) to pay a gratuity to Carolyn P. Meriwether was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Carolyn P. Meriwether, widow of Yancey D. Meriwether, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

TRANSFER OF COTTON ALLOTMENTS

Mr. HUMPHREY. Mr. President, the Senator from Kentucky wishes to make a unanimous-consent request which I understand has been cleared on both sides of the aisle.

Mr. COOPER. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of House bill 5067, to amend the Agricultural Adjustment Act of 1938, as amended, and that the Senate proceed to consider the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

There being no objection, the Senate proceeded to the consideration of the bill (H.R. 5067) to amend the Agricultural Adjustment Act of 1938, as amended.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. COOPER. Certainly.

The bill was introduced in the House by Representative STUBBLEFIELD, of Kentucky. The bill has been passed by the House. A descriptive title of the bill is "Transfer of Farm Allotments for Flooded Acres." Similar bills have been passed in previous years.

Certain cotton lands and cotton acreage—some in my State along the Mississippi River and, I understand, some in other States along the Mississippi River—have been flooded, and still are flooded. This acreage must be planted in the next week or two, or it will be too late, so I am informed.

In past years when this situation developed, these farmers were permitted to plant their cotton quotas on lands other than their own farm lands, in order to maintain their planting history.

I may say the Department of Agriculture approves of this bill.

Mr. MORSE. I have no objection.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 5067) was ordered to a third reading, was read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1989. An act to authorize the government of the Virgin Islands to issue general obligation bonds; and

H.R. 3845. An act to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766).

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Interior and Insular Affairs:

H.R. 1989. An act to authorize the government of the Virgin Islands to issue general obligation bonds; and

H.R. 3845. An act to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766).

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

NATIONAL SERVICE CORPS ACT

A communication from the President of the United States, transmitting a draft of proposed legislation to provide for a National Service Corps to strengthen community service programs in the United States (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORT ON DEPARTMENT OF DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting, pursuant to law, a report of that Department on procurement from small and other business firms, for the 8-month period ended February 28, 1963 (with an accompanying report); to the Committee on Banking and Currency.

PUBLICATIONS OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, a copy of the publications entitled "Federal Power Act, Revised March 1, 1963" and "Sales by Producers of Natural Gas to Natural Gas Pipeline Companies, 1961" (with accompanying documents); to the Committee on Commerce.

AMENDMENT OF ACT RELATING TO PAYMENT OF MOVING EXPENSES OF OWNERS AND TENANTS OF LAND ACQUIRED FOR THE NATIONAL PARK SYSTEM

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of May 29, 1958, with respect to payment of moving expenses of owners and tenants of land acquired for the National Park System (with an accompanying paper); to the Committee on Interior and Insular Affairs.

AUDIT REPORT OF THE FOUNDATION OF THE FEDERAL BAR ASSOCIATION

A letter from the Secretary, the Foundation of the Federal Bar Association, Washington, D.C., transmitting, pursuant to law, an audit report of that Association, for the fiscal year ended September 30, 1962 (with an accompanying report); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent values or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. JOHNSTON and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were presented, and referred as indicated:

A joint resolution of the Legislature of the State of Utah; to the Committee on the Judiciary:

"POWER TO APPORTION MEMBERSHIP IN LEGISLATURES—1963

"A joint resolution of the Senate and House of Representatives of the State of Utah memorializing the Congress of the United States to provide legislation designed to preserve to the respectives States their power to apportion among their citizens their representation in the various State legislatures

"Whereas the representation enjoyed by the citizens of the State of Utah, as well as by the citizens of the various States of the Union in their respective State legislatures, is best determined by consideration of local importance; and

"Whereas the courts of the United States are construing the Constitution of the United States so broadly as to empower them to intervene in the rights of the respective States to determine the membership of their respective legislatures; and

"Whereas it is the considered opinion of this legislature that the power of determination of problems relating to apportionment of legislative representation is best exercised by the direct representatives of the people of the States: Now, therefore, be it

"Resolved by the Legislature of the State of Utah, That it is fitting and proper for the citizens of this State and of their representatives in the Legislature of the State of Utah to determine the membership of their senate and of their house of representatives, and to apportion representation therein among the various portions of the State; and be it further

"Resolved, That we believe that this power of legislative determination and apportionment therein is best exercised by the people and the legislatures of the respective States of the Union; be it further

"Resolved, That we respectfully petition the Congress of the United States to take all necessary legislative steps including the possibility of initiating a constitutional amendment to protect and preserve the powers of the various States of the Union to determine the membership of their respective legislatures and the apportionment of representation therein; be it further

"Resolved, That the secretary of state of the State of Utah is hereby authorized and directed to send copies of this memorial to the Senate and to the House of Representatives of the United States and to the Senators and Congressmen representing the State of Utah in the National Congress."

A concurrent resolution of the Legislature of the State of Utah; to the Committee on Interior and Insular Affairs:

"A RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO MAINTAIN THE NAME 'FLAMING GORGE DAM AND RESERVOIR' FOR THE DAM AND RESERVOIR THAT NOW BEARS THAT NAME

"Whereas the dam and reservoir which has been constructed on the Green River in northeastern Utah is presently known as the Flaming Gorge Dam and Reservoir; and

"Whereas the proposal has been made before the Congress of the United States to change the name of this dam and reservoir to "O'Mahoney Lake and Recreation Area"; and

"Whereas in view of the location of this dam and reservoir in relationship to the States of Utah and Wyoming, it would seem desirable to retain its present name: Now therefore, be it

"Resolved by the Legislature of the State of Utah (the Governor concurring therein), That we respectfully urge the Congress of the United States to maintain the presently existing name of the Flaming Gorge Dam and Reservoir as to said dam and reservoir; be it further

"Resolved, That the secretary of State of Utah be, and he hereby is, directed to send copies of this resolution to the Senate and the House of Representatives of the United States, to the Secretary of the Department of the Interior, and to the Senators and Congressmen representing the State of Utah in Congress."

By Mr. MOSS:

A concurrent resolution of the Legislature of the State of Utah; to the Committee on the Judiciary:

"A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE 35TH LEGISLATURE OF THE STATE OF UTAH PETITIONING THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, UNLESS CONGRESS SHALL SOONER HAVE SUBMITTED SUCH AN AMENDMENT, TO PROVIDE FOR THE ELECTION OF THE PRESIDENT AND VICE PRESIDENT IN A MANNER FAIR AND JUST TO THE PEOPLE OF THE UNITED STATES

"Whereas under the Constitution of the United States, presidential and vice presidential electors in the several States are now elected on a statewide basis, each State being entitled to as many electors as it has Senators and Representatives in Congress; and

"Whereas the presidential and vice-presidential electors who receive the plurality of the popular vote in a particular State become entitled to cast the total number of electoral votes allocated to the State irrespective of how many votes may have been cast for other elector candidates; and

"Whereas this method of electing the President and Vice President is unfair and unjust in that it does not reflect the minority votes cast; and

"Whereas the need for a change has been recognized by Members of Congress on numerous occasions through the introductions of various proposals for amending the Constitution: Now, therefore, be it

"Resolved, That application is hereby made to Congress under article V of the Constitution of the United States for the calling of a convention to propose an article of amendment to the Constitution providing for a fair and just division of the electoral votes within the States in the election of the President and Vice President; and be it further

"Resolved, That if and when Congress shall have proposed such an article of amendment this application for a convention shall be deemed withdrawn and shall be no longer of any force and effect; and be it further

"Resolved, That the proper officer of this State be and he hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several members of said bodies representing this State therein; also to transmit copies hereof to the legislatures of all other States of the United States."

REAPPOINTMENT OF JOHN NICHOLAS BROWN AS CITIZEN REGENT OF SMITHSONIAN INSTITUTION—REPORT OF A COMMITTEE (S. REPT. NO. 140)

Mr. PELL. Mr. President, it is with great pleasure that I report to the Senate, with an amendment, House Joint Resolution 234, which will provide for the reappointment of John Nicholas

Public Law 88-12
88th Congress, H. R. 5067
April 26, 1963

An Act

77 STAT. 13.

To amend the Agricultural Adjustment Act of 1938, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 344(n) of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by striking out the word "substantial" where it appears, (2) by striking out the figures "1962" where they first appear therein and inserting the figures "1963", and (3) by striking the period at the end of the second sentence thereof and substituting a colon therefor and the following proviso: "*Provided*, That, notwithstanding the provisions of section 344(m)(2) of this Act, the transfer of any farm allotment under this subsection for 1963 shall operate to make the farm from which the allotment was transferred eligible for an allotment as having cotton planted thereon during the three-year base period."

Cotton.
Flooded acreage, transfer.
72 Stat. 186; 76 Stat. 64.
7 USC 1344.
73 Stat. 394.

Approved April 26, 1963.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 197 (Agriculture Comm.).
CONGRESSIONAL RECORD, Vol. 109:
Apr. 9, 1963; Considered and passed House.
Apr. 11, 1963: Senate Committee on Agriculture & Forestry discharged from further consideration of bill; considered and passed Senate.

GPO 85139